

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA

v.

ANDREW JON THOMASBERG,

Defendant.

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CRIMINAL NO. 1:19-CR-337

SEALING ORDER

This matter having come before the Court on the defendant's Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The defendant seeks to seal "Defendant's Position On Sentencing Factors," filed with the Court on February 25, 2020.
2. Sealing of this material is necessary in order to safeguard the privacy and safety of the defendant.
3. The Court has considered procedures other than sealing, but none will suffice to protect the information subject to sealing.
4. The Court has the inherent power to seal materials submitted to it. *See United States v. Wuagneux*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); *see also Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975). "The trial court has supervisory power over its own records and may, in its discretion, seal documents if the

public's right of access is outweighed by competing interests." *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

5. The defendant requests that the pertinent material be sealed until unsealed by order of the Court.


For the foregoing reasons it is hereby:

ORDERED that the defendant's Motion to Seal is granted, and it is

FURTHER ORDERED that "Defendant's Position On Sentencing Factors" filed with the Court on February 25, 2020, shall be maintained under seal and will remain under seal until unsealed by order of the Court, and it is

FURTHER ORDERED that the Clerk provide a copy of this Order to counsel of record.

ENTERED this 25th day of February, 2020.



Liam O'Grady
United States District Judge